

REMARKS:

Claims 1-8 and 10-12 are in the case and presented for consideration.

The undersigned thanks the Examiner for the telephone communication of December 28, 2006, where the Examiner indicated that the reference to Zheng could not be located and that comments should be provided in the amendment after final to that effect.

Turning to the final action, claims 1-8, 10 and 12 were rejected as being obvious from Zheng, but Zheng could not be located, so that the Examiner is requested to withdraw the rejection of claims 1-8, 10 and 12 on the basis of Zheng.

The Examiner has also rejected claims 1 and 11 as being obvious from the published U.S. patent application to Shu, published U.S. application 2003/0221259.

Shu discloses a thick heavy curved support for supporting the weight of a person as shown for example in Fig. 6, and of a length which is about that of a person as disclosed in Shu at paragraph [0016], lines 4-6. In the embodiment of Fig. 2, an outer resilient layer 12 is provided which presumably avoids the person slipping off the structure and in Fig. 7 and alternate embodiment is provided in the form of a flexible sling which replaces the rigid curved member and results in the creation of a seat.

Claim 1, which was examined by the Examiner and has not been amended, includes the requirement that the inner or concave side at 3 in the figures, be "slip-resistant". This is because, according to one embodiment of the invention, the device is used as a rocking device. The Examiner's attention is directed to the brochure called "T-BOW", submitted with the last amendment and, also, is invited to visit the website www.tbowl.ch.

Shu is clearly missing this feature of claim 1 and it is not seen how the inclusion of

this feature would be obvious since there would be no purpose at all for providing the inner inaccessible concave surface of Shu with a slip-resistant characteristic, since there is no way anyone could actually engage that surface or is intended to engage that surface during the normal use of the structure disclosed by Shu. Claim 1 is therefore believed clearly patentable over Shu and in condition for allowance.

Claims 2-8, 10 and 12 were not rejected on the basis of Shu and, thus, are also believed to be in condition for allowance.

To further emphasize the differences between the invention and the prior art, claims 4 and 6 have also been presented as independent claims combining their base claim 1 with the subject matter of these claims. No new matter and no new issues have been presented since claims 4 and 6 has been examined before. Claim 4 defines the range of sizes for the apparatus of the invention, which has a maximum length of about 120 cm or slightly over 47". This is clearly not comparable to the height of an average adult person and further distinguishes the apparatus over the Shu reference.

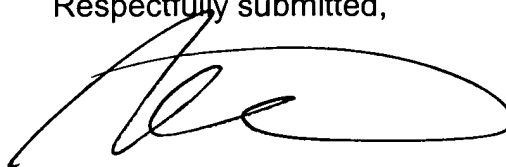
Claim 6, likewise, defines structures which are clearly not present in the Shu reference, such as the slight elastic characteristic of the apparatus which is neither present nor obvious from Shu which appears to disclose a thick monolithic arc shaped support that is strong enough to carry the fully weight of a person lying on it.

The remaining claims, likewise, are believed to better distinguish the invention and, accordingly, all of the claims are now believed to be in condition for allowance.

Although this amendment is being filed after a final rejection, since no new issues have been raised which would require any additional consideration or search and, so it is believed that the application is now in condition for allowance, favorable action is

respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Peter C. Michalos', written over a horizontal line.

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